

**REMARKS**

**Summary of the Office Action**

1. Claims 1, 6, 16 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Samuels* (U.S. Patent No. 5,270,821) in view of *Engholm et al.* (U.S. Patent No. 6,229,456) and *Ike* (U.S. Patent No. 5,153,756).
2. Claims 6, 26, and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Samuels* in view of *Engholm et al.* and *Ike* as applied to claims 1 and 16 above, and further in view of *Carroll et al.* (U.S. Patent No. 6,121,960).

**Summary of the Response**

Claims 1, 16, 29, 30, 32, 33 have been amended.

Claim 28 has been cancelled.

Now pending are claims 1, 6, 16, 29, 30, 32-35.

**Rejections Under 35 U.S.C. §103(a)**

Applicant's position is that the references cited in the last Office Action, whether considered individually or in combination, are deficient for establishing a *prima facie* case for an obviousness rejection.

**Limitations Omitted From the Cited References**

(1) Claim 1

The references, in combination or alone, do not teach or suggest using continuous contact of a graphic user-interface feature from a first position to a second position in order to affect image screen voltages. As amended, claim 1 recites that the graphical user-interface feature is a slider that can slide along a bar. This limitation by itself is not suggested by the cited references.

Furthermore, the amended claims now recite that the adjusted image is for affecting contrast or brightness. This is another difference with the cited references, particularly with *Engholm*.

The Office Action's reasons for the rejection miss a key advantage of the claimed invention. The Office Action states: "in convention scroll devices, the movable slider is permitted to be moved by the user 'clicking' on the slider, holding the mouse button, and moving the mouse in the appropriate direction thereby providing continuous control of the slider." Applicant concedes that this is conventional, but it is also what the invention attempts to improve upon. Continuous clicking control is too difficult for use with handheld computers, because the user's hand may be moved so that placement of the object repeatedly on a small portion of the image screen is akin to repeatedly hitting a small moving target. The result is that there may be inadvertent contact with the slider.

On page 3 of the application, Applicant specifically states that this is a situation to be avoided in handheld computers: "None of the prior art apparatus provides contrast control in a portable computer that solves the problem of inadvertent adjustment of the contrast while transporting the portable computer." The application goes on to state in the Summary of the Invention, that "the invention eliminates the problem of inadvertent adjustment that exists for slider and rotary input mechanisms" of the prior art.

(2) Claim 16

While independent claim 16 has been amended to explicitly recite the slider mechanism, for reasons stated above, Applicant's position is that the cited references omit limitations in claim 16. For example, the use of continuous contact, in the manner recited by claim 1, is not taught or suggested by any of the cited references.

(3) Claim 32

None of the cited references teach a mechanism previously associated with the function of displaying the slider, where the portable computer can be triggered to automatically turn on and display the slider. This functionality is recited steps (a) through (c), which are automatically performed in response to detecting the first input mechanism being actuated.

In patentable aspects of the slider and bar feature, the claim recites that “a content from a previous use of an application on the portable computer.” This feature is simply not taught or suggested by the cited references.

Lack of Suggestion to Combine

As stated in the last Office Action, Applicant maintains that there is no suggestion to combine the cited references in a manner that would teach any of the claims in this application. By omitting a suggestion to combine, the Office Action ignores the requirements of the Federal Circuit. The Federal Circuit has stated:

When patentability turns on the question of obviousness, the search for and analysis of the prior art includes evidence relevant to the findings of whether there is a teaching, motivation, or suggestion to select and combine the references relied on as evidence of obviousness...The factual inquiry whether to combine references must be thorough and searching. It must be based on objective evidence of record. This precedent has been reinforced in myriad decisions, and cannot be dispensed with.

*In re Lee*, 61 USPQ2d 1430 (Federal Circuit, 2002)

*In re Lee* does not permit rejections based on “conclusory statements” of the Examiner regarding the issue of motivation to combine. The Federal Circuit went on to say that the PTO “must also explain the reasoning by which the findings are deemed to support the agency’s conclusion.”

Here, we have no suggestion to combine the three or more references. Absent such a motivation or suggestion, the obviousness rejection is improper.

**CONCLUSION**

For all of the reasons stated above, Applicant respectfully submits that independent claims 1, 16 and 32 are allowable over the cited references. Claim 6 depends from claim 1, and is thus allowable with claim 1. Claims 26, 29 and 30 are allowable because they depend from claim 16. Claims 33-35 are allowable because they depend from claim 32.

Accordingly, a Notice of Allowance is requested by Applicants. Should any issues preclude allowance of this application, Applicant urges the Examiner to telephone Applicants' attorney at (408) 414-1209. The Office is given permission to charge any unpaid fees to Applicants' deposit account (50-1302).

Respectfully submitted,

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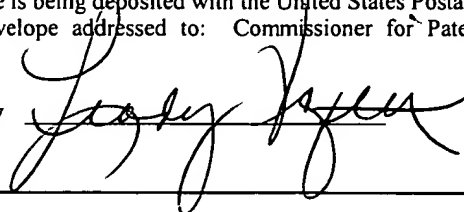
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

on

Dec 30, 2002

by



**"Version with markings to show changes made"**

In the Claims:

1. (Six Times Amended) A method for adjusting levels of a viewing parameter for an image screen disposed on a portable computer, wherein the image screen includes pixels having output levels, the method comprising:

receiving an activation signal for viewing a parameter control from a first input mechanism;

in response to receiving the activation signal, displaying one or more graphical user interface elements, the user-interface elements forming at least a portion of the parameter control on the image screen, the one or more graphical user interface elements including a bar and a slider;

detecting an interaction between a user and the one or more user-interface elements, the interaction corresponding to an adjustment of the viewing parameter from a prior value to a new value; and

in response to detecting the interaction, adjusting the value of the viewing parameter for the image screen to the new value, wherein adjusting includes adjusting image screen drive voltages to adjusted voltages based on the new value, the pixels being receptive to the image screen drive voltages so that the pixel output levels respond to the adjusted voltages by providing an adjusted image having an adjusted contrast or brightness;

wherein detecting an interaction between a user and the one or more user-interface elements includes detecting continuous contact of a user-controlled object with the slider, along the bar displayed on the image screen, from a first location corresponding to the prior value to a second location corresponding to the new value.

6. (No Change) The method of claim 1, wherein the image screen includes portions adapted for illumination by groups of pixels including a first portion configured for illumination by a first group of pixels, and wherein the adjusting includes:

maintaining the image screen drive voltages at low levels for one or more of the groups of pixels, and

adjusting the image screen voltages to adjusted voltages corresponding to the new values for the first group of pixels, the first portion covering less than approximately twenty-percent of the image screen, and wherein the method includes the portable computer displaying selected information only on the first portion.

16. (Six Times Amended) A portable computer comprising:

an image screen comprising pixels, wherein the image screen is adapted to display items of information at levels corresponding to values of a viewing parameter, the values of the viewing parameter vary in response to image screen drive voltages, and different groups of the pixels have different image screen drive voltages;

a first input mechanism that is actuatable to initiate adjustment of viewing parameter values;

a processor; and

a memory coupled with the processor;

the processor being configured to:

respond to actuation of the first input mechanism by displaying user interface elements adapted for adjusting the viewing parameter values, the graphical user interface elements including a slider that can move along a bar; and

detect a continuous contact applied to the image screen starting at a first location where the slider [graphic user interface elements] is approximately displayed, and ending at a second location that indicates a change in the values of the viewing parameter;

graphically move the [graphic user interface element] slider along the bar from the first location to approximately the second location in response to detecting the continuous contact;

respond to the continuous contact by adjusting the values of the viewing parameter based on the change.

26. (No Change) The portable computer of claim 16, wherein the more than approximately eighty percent of the pixels have a value of the viewing parameter corresponding to a first image screen drive voltage.

28. (Cancel)

29. (Three Times Amended) The method of claim [28] 1, wherein  
in response to receiving the activation signal, displaying one or more graphical  
user interface elements includes displaying an icon, and  
detecting an interaction between a user and the one or more user-interface  
elements includes detecting the user contacting the icon after moving the slider to the  
second position; and  
wherein the method further comprises accepting the new value of the viewing  
parameter for adjusting image screen drive voltages only if the user contacts the icon.

30. (Amended) The method of claim 28, wherein  
**[in response to receiving the activation signal, displaying one or more  
graphical user interface elements includes displaying the slider as being moveable  
along a bar,]**  
detecting an interaction between a user and the one or more user-interface  
elements includes detecting the user contacting the bar either to a left side or right side of  
the slider, wherein contact to one of the left side or right side corresponds to the new  
value being less than the prior value, and contact to the other of the left side or right side  
corresponds to the new value being greater than the prior value.

32. (Twice Amended) A method for adjusting levels of a viewing parameter  
for an image screen disposed on a portable computer, wherein the image screen includes  
pixels having output levels, the method comprising:  
maintaining the portable computer in a low power state until any one of a plurality  
of input mechanisms is actuated;  
detecting a first input mechanism in the plurality of input mechanisms being  
actuated, the first input mechanism being previously associated with displaying one or  
more graphic user elements;  
in response to detecting the first input mechanism being actuated, then  
automatically performing steps (a)-(c):  
(a) switching the computer to an higher power state,  
(b) displaying on at least a portion of the image screen a content  
from a previous use of an application on the portable computer, and

(c) displaying **[the]** one or more graphic user-interface elements for adjusting a value of a viewing parameter, the one or more user-interface elements including a slider and a bar;

detecting continuous contact on the image screen corresponding to where **[one of the one or more user-interface elements]** the slider is being displayed, the continuous contact extending between a first location of the slider on the bar and a second location of the slider on the bar, the second location of the contact determining a new value for the viewing parameter;

adjusting the value of the viewing parameter for the image screen to the new value by adjusting drive voltages of the image screen to correspond to the new value for the viewing parameter, the pixels being receptive to the image screen drive voltages so that the pixel output levels respond to the adjusted voltages by providing an adjusted image.

33. (Twice Amended) The method of claim 32, wherein displaying one or more graphic user-interface elements for adjusting a value of a viewing parameter includes **[displaying a]** enabling the slider **[that can]** to be moved **[amongst]** to a plurality of positions, including the first position and the second position.

34. (No Change) The method of claim 32, displaying on at least a portion of the image screen a content from a previous use of an application on the portable computer includes displaying a most recently displayed content of the application prior to the portable computer being maintained in the low power state.

35. (No Change) The method of claim 32, displaying a most recently displayed content of the application prior to the portable computer being in the low power state includes displaying a most recently displayed content prior to the portable computer being maintained in the low power state.